On Thursday, May 4th, 19 students were tried in a CJB hearing for violation of Middlebury's Demonstrations and Protests Policy during the Charles Murray protests.

This was their opening statement.

Dear Community Judicial Board,

We are here today as a small subset of the students who participated in the protests against Charles Murray that took place on March 2nd, 2017. The purpose of this hearing is not to contest our participation at this event, but to convey to you why we made the choice to break policy. While we understand that the judicial process seeks to address policy violation and does not consider intent, you must understand that our method cannot be separated from our message.

On March 2nd, we took action to be accountable to our community, to affirm that students of color and poor and working class students are welcome here, and that their value or their presence must not be questioned or debated. We attempted to mitigate the harm that this speaker could inflict upon the most marginalized people on our campus, and we stand by our actions. We are here to discuss the appropriate punishment, and to contextualize what that punishment means to this community: **we believe that the college should not issue any sanctions for our participation in the protest and should rescind the probation given to protesters who left before the live-stream began.**

We first want to recognize the national trope that has emerged: over-sensitive liberal students protest the campus visit of a controversial, often conservative, speaker. Knowingly or not, the AEI Club and Middlebury administrators played into this narrative. We anticipated the lose-lose outcome of inviting a speaker like Charles Murray: either we could allow his racist, classist, ableist rhetoric to be voiced at our college, or we could demand better of our community. Though we understood that our message might be misconstrued nationally, **we felt we had no choice but to actively dissent** to the harm that his speech would cause on this campus. We also intentionally expressed dissent to the administration's implications that anyone should "engage politely" in the face of injustice and oppression. After taking numerous avenues of administration-approved recourse such as open letters; petitions by students, faculty and alumni; meetings; proposed SGA bills; and discussions with professors and peers, we chose, like many other student bodies across the country, to make clear through protest that Charles Murray's ideas and policies are antithetical to the college mission and not welcome here.

Our actions also cannot be separated from the national context in which they are situated. The racism, classism, ableism, and sexism we protested on March 2nd reflects and perpetuates national patterns in the rise of open bigotry. White supremacy already has a platform in this country. A large number of US citizens voted for a president who has been enacting racist, xenophobic, and Islamophobic policies since his inauguration. This election has inspired hate crimes not only across the nation but within our college community, including the swastika drawn on the doors of our local synagogue, Islamophobic messages on students' doors, and shouts of "build that wall" during the recent food fight in Ross. Murray's voice is not an alternative in an oasis of liberal values; rather, he is just one more well-funded man with a national platform at his disposal to spread violent rhetoric.

It was in this atmosphere that we decided to act. During times that our nation's president and administration devalue the humanity of our friends and community members, it is essential for

institutions such as Middlebury, which serve as our home for four years, to resist national trends of racism and discrimination.

This is especially important in light of Middlebury's past; one cannot separate our institution from its lived history. In the 1920s, Middlebury was complicit in the wider Vermont eugenics movement which enabled the sterilization of hundreds of Native Abenaki people for four decades. Middlebury must recognize its historical advancement of eugenics through its former Zoology department. White supremacy and racist ideology were part of Middlebury then, and they have circulated here ever since: consider the very recent battles for the reconfiguration of the AAL requirement. We need to actively work to deconstruct the legacy that we have helped to create.

Furthermore, this was not Murray's first visit to Middlebury. According to a tenured professor present at his lecture in 2007, Murray turned to a group of black Middlebury students during the Q&A session and stated that they would perform better in a less challenging academic setting than Middlebury. By perpetuating *Mismatch Theory*, Murray stigmatized students of color in our own community and told them that they did not belong. Almost ten years later, we refuse to allow members of our community to be insulted in this way again.

Our actions on March 2nd were not exceptional. There is plenty of historical precedent for this type of non-violent civil disobedience. Students were at the forefront of pushing against white supremacy and bigotry during the civil rights movement. The Student Nonviolent Coordinating Committee used disruptive tactics to combat Jim Crow segregation in southern communities. As evidenced by the actions of groups and activists like SNCC, change cannot be made without disruption. Dr. Martin Luther King Jr. himself espoused the importance of non-violent direct action. King states in his Letter from Birmingham Jail that "constructive, nonviolent tension is necessary for growth" and that when law and order fail to establish justice, "they become the dangerously structured dams that block the flow of social progress."

Though Middlebury's demonstrations and protest policy was violated, we urge members of the Community Judicial Board to view these violations in the context of an institutional system that has failed the most marginalized members of our community. Allowing a discredited white supremacist to speak is not justice. It is the legitimization of harmful ideology. Strictly enforcing the policy as it stands represents an implicit endorsement of oppression under the guise of a supposedly apolitical disciplinary process. However, no policy is apolitical. **The results of this hearing will send a resounding message. Through punishment, student activists are told that they are not to practice what this college preaches,** that we are not to speak out against injustice in historically proven methods of civil disobedience, that we are not to be engaged, critical citizens. The Community Judicial Board has the opportunity to create a new "business as usual" and prove that Middlebury is willing to stand by what it teaches us in the classroom and evaluate student action with nuance and complexity.

Though we do not mean to equate our protest with that of SNCC, or Dr. King, King's words still ring true. **"It is unfortunate that demonstrations are taking place, but it is even more unfortunate that the school's white power structure left the community with no alternative."** Our actions were formulated in order to break the dams of policy and culture that continue to silence and devalue the lives and concerns of marginalized community members.

In examining the potential impacts of official sanctions, we think it is important to highlight that the way that this case has been handled so far has already isolated students and silenced dissent. For example, we see the distinction and the differing punishments assigned to protesters who took part in one collective action as arbitrary and divisive, pitting student activists against one another. While we acknowledge that we stayed in Wilson Hall during the livestream, it's important to note that we were continuing the *exact same behavior* as before the live stream began, including chanting, singing, and holding up signs. This has been deemed by the administration to be a more severe disruption. We believe that there is no reason to draw a distinction between those protesting Charles Murray from 4:30pm to 6:00pm and those protesting the livestream of Charles Murray from 6:00pm to 7:30pm. We understand that it is easier to target and prosecute the few of us who stayed to disrupt the livestream

(around 20 people as opposed to 300). However, we trust you to see how unreasonable this line truly is and to recognize the dangers of upholding policy for the sake of policy. To be clear, we are not asking for more drastic sanctions for our peers who received probationary status; rather, we do not believe that anyone should be receiving punishment for upholding Middlebury's constantly restated community values of inclusion. We only wish to highlight the arbitrary divisions that have weakened collective organizing throughout this process and the way they have functioned in our cases, specifically.

While we are not challenging that we broke college policy, we do want to highlight the fact that this punishment is targeted at activists. Any official college discipline will suppress future dissent, activism, and voicing of opinions of students working for social change. Among us are those who work tirelessly toward justice at Middlebury: we have transformed JusTalks from an optional winter term event into a mandatory community building program; we have pushed the institution to divest from fossil fuels; we have challenged Middlebury to rethink the imperialist AAL requirements; we have worked to diversify the outdoor recreation and club sports communities at Middlebury and welcomed new members to this community as MiddView leaders; we have created spaces through affinity groups and cultural organizations, including Feminist Action at Middlebury, It Happens Here, Wonderbread: White Students for Racial Justice, Queers and Allies, Raisins: Radical Asians, and Immigrant Solidarity Group; we have placed our efforts beyond Middlebury College by working closely with local organizations such as Migrant Justice, WomenSafe, HOPE, and Rising Tide Vermont. We work every day to make every entity that we are a part of more inclusive, just and equitable. We are not reactionary or ignorant, and we see this act of civil disobedience as a continuation of our battles for justice both on and off campus. **We hope that future activists will not have to remember *this moment* as one in which students were disciplined instead of supported in combating harmful and oppressive ideology.**

After March 2nd, the administration promised to "find a path to establishing a climate of open discourse… while also recognizing critical matters of race, inclusion, class, sexual and gender identity" and mentioned utilizing restorative justice methods. These assertions went unaddressed. Thus, in the two months since, we have had to reaffirm our place at Middlebury --and that of every student-- by supporting each other and organizing together.

Middlebury isn't just our school; we **live** here. To feel isolated and targeted in the Middlebury community is to feel isolated in our own home. The hashtag #notmymiddlebury circulated by Professor Matt Dickinson only contributed to this feeling, as did Allison Stanger's racially coded language comparing protesters to thugs on Facebook and as a "mob" in the New York Times, and Laurie Patton's apology to the public on our behalf. By distancing herself from our request to be heard, she reinforced this isolation. **When Middlebury refuses to claim us, and reduces us to a stain on its reputation, we are told not only that we don't belong at this school, but that we don't belong in our home.** For many of us, this has left us feeling disheartened and betrayed by this college to which we have dedicated so much time, energy, and love.

Despite how we have been portrayed by the media and our own professors, we did not act out of ignorance or disdain for this college, but rather out of love and consideration for our peers. We want to make clear that we don't identify as an "us" fighting a "them." **We are all part of Middlebury. We are equally responsible for and complicit in** the hateful actions that occur on our campus, and the way marginalized students experience being here. Our actions came out of hope and a belief that as a community we can do better, especially for those who are most targeted by Murray's rhetoric. Furthermore, much of what inspired our action, we learned from our education at Middlebury -- not just in classrooms, from our mission statement that emphasizes "rigorous analysis" and ethical leadership, but in dialogue with each other. We have come to understand that expressing dissent is **fundamental** to creating an inclusive college community and that we have an obligation to resist injustice.

~read online at *go/may4* or read about restorative justice at *go/rj*~